

APPEAL NO. 021987
FILED SEPTEMBER 18, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 17, 2002. The hearing officer determined that the respondent's (claimant) _____, compensable injury includes a microfracture involving the lateral aspect of the posterior calcaneus, a disruption of the anterior talofibular and fibulacalcaneal ligaments, ankle joint effusion, and osteoarthritis involving the posterior talocalcaneal facet. The hearing officer further determined that the claimant had disability beginning on _____, for three days and beginning again on October 12, 2001, and continuing through the date of the hearing. The appellant (carrier) appealed and the file does not contain a response from the claimant.

DECISION

Affirmed.

We have reviewed the complained-of determinations and find that the hearing officer's Decision and Order is supported by sufficient evidence to be affirmed. The issues presented questions of fact for the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a); Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). There was conflicting evidence presented on the disputed issues. It was for the hearing officer, as the trier of fact, to resolve the conflicts and inconsistencies in the evidence and to determine what facts had been established. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). Nothing in our review of the record reveals that the hearing officer's determinations are so contrary to the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **REPUBLIC LLOYDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BILL PITT
2727 TURTLE CREEK BLVD.
DALLAS, TEXAS 75266.**

Michael B. McShane
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Margaret L. Turner
Appeals Judge